

BRISBANE PLANNING COMMISSION  
Action Minutes of August 8<sup>th</sup>, 2017  
Regular Meeting

A. CALL TO ORDER

Chairperson Munir called the meeting to order at 7:31 p.m.

B. ROLL CALL

Present: Commissioners Anderson, Cunningham, Mackin, Munir

Absent: None.

Staff Present: Senior Planner Johnson and Associate Planner Capasso.

C. ADOPTION OF AGENDA

Commissioner Mackin moved to adopt the agenda. Commissioner Anderson seconded the motion. The motion was approved 4-0.

D. CONSENT CALENDAR

There were no items on the consent calendar.

E. ORAL COMMUNICATIONS (limit to a total of 15 minutes)

There were none.

F. WRITTEN COMMUNICATIONS

Chairperson Munir acknowledged written communications received from the Association of Bay Area Governments, League of Women Voters, and a letter pertaining to item G.1.

G. NEW BUSINESS

1. **PUBLIC HEARING: 786 Humboldt Road; R-1 Residential District; Grading Review EX-3-17;** Grading Review for 905 cubic yards of soil export to accommodate construction of a new single-family home on a vacant 4,265 square-foot lot with a 28% slope; Derek Vinh, ICE Design Inc., applicant; Zhihui Yang and Feng Yi He, owners; APN 007-432-370.

Commissioner Cunningham recused herself and left the dais as she owns property within 500 feet of the subject property.

Associate Planner Capasso gave the staff presentation. She answered Commissioner questions regarding potential impacts to a tree at 770 Humboldt Road, requirements for replacement tree plantings under BMC Title 12, existing conditions on the vacant property adjacent to the subject property to the east, street widening and project staging, and the history of the site. She noted a

letter received from Wayne Hendrix of 790 Humboldt Road regarding potential off-site impacts of project construction and grading.

Chairperson Munir opened the public hearing and invited the applicant to present.

Mark Berns, project civil engineer and representing the applicant, addressed the items raised in the letter received from Mr. Hendrix and answered questions from the Commission regarding the proposed street widening.

Commissioner Anderson moved and Commissioner Mackin seconded to close the public hearing. The motion was approved 3-0.

The Commission asked additional questions of staff regarding how to address the concerns raised by Mr. Hendrix. Chairperson Munir asked Mr. Berns to address the Commission regarding the site excavation and geotechnical recommendations.

Mr. Berns addressed the Commission regarding the proposed depth of excavation and possible methods to contain and retain excavated soils.

After deliberation, Commissioner Mackin moved adoption of Resolution EX-3-17, modified to recommend that the City Engineer ensure that the erosion control measures are designed to limit or mitigate any impacts to off-site properties during grading, encourage use of permeable pavers for the driveway, and reduction of paved area in the front yard setback, and require replacement of the protected tree with two trees, one of which could be located off-site, and that the arborist report address impacts to trees on adjacent properties. Commissioner Anderson seconded the motion and it was approved 3-0.

Chairperson Munir read the appeals process.

#### H. ITEMS INITIATED BY STAFF

Senior Planner Johnson announced the Council was scheduled to adopt cannabis regulations in Ordinance 617 on September 7 and the Council had not yet scheduled interviews for the open Commission seat.

#### I. ITEMS INITIATED BY THE COMMISSION

Commissioner Cunningham shared an article about public electric shuttles in San Jose published in the San Jose Mercury News.

The Commissioners voiced support for considering a public, on-demand electric shuttle in town.

#### J. ADJOURNMENT

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Commissioner Cunningham moved and Commissioner Anderson seconded to adjourn to the regular meeting of August 22, 2017 at 7:30 p.m. The motion passed 4-0 and the meeting adjourned at 8:23 p.m.

Attest:

A handwritten signature in black ink, appearing to read 'J. Swiecki', written over a horizontal line.

John A. Swiecki, Community Development Director

NOTE: A full video record of this meeting can be found on DVD at City Hall and the City's website at [www.brisbaneca.org](http://www.brisbaneca.org).

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